

THE HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

WASHINGTON CATTLEMEN'S
ASSOCIATION,

Plaintiff,

v.

UNITED STATES ENVIRONMENTAL
PROTECTION AGENCY, *et al.*,

Defendants.

CASE NO. C19-0569-JCC

ORDER

This matter comes before the Court on the parties' stipulated motion to stay the proceedings (Dkt. No. 94). In this action, Plaintiff Washington Cattlemen's Association brings claims against the Environmental Protection Agency and the Army Corps of Engineers challenging three successive rules defining "waters of the United States" in the Clean Water Act. (*See generally* Dkt. No. 72.) Plaintiff's claims concerning the two earlier rules have been stayed pending the Court's ruling on the merits of Plaintiff's claims concerning the 2020 Rule. (Dkt. No. 86.) Plaintiff's motion for a preliminary injunction concerning the 2020 Rule (Dkt. No. 77) and Defendants' motion to consolidate (Dkt. No. 87) this action with *Puget Soundkeeper Alliance v. United States Environmental Protection Agency*, C20-0950-JCC (W.D. Wash. 2020), are pending.

The parties now ask the Court to stay the proceedings because President Biden issued an

1 Executive Order on January 20, 2021, pursuant to which Defendants are reviewing the 2020
2 Rule. (Dkt. No. 94 at 3.) The parties wish to stay the proceedings until May 1, 2021 to give the
3 appropriate officials adequate time to review the challenged Rule and determine whether it will
4 be maintained, modified, or otherwise reconsidered. (*Id.*) The parties contend that a stay will
5 promote judicial economy and conserve the parties' resources. (*Id.*)

6 Having thoroughly considered the motion and the relevant record, and finding good
7 cause, the Court GRANTS the motion (Dkt. No. 94) and ORDERS:

- 8 1. This matter, including but not limited to all pending motions, is STAYED until May
9 1, 2020.
- 10 2. The parties must file a joint status report on or before May 1, 2021, to update the
11 Court on the status of the case.
- 12 3. The Clerk is DIRECTED to statistically close this case.

13 DATED this 8th day of February 2021.

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17 John C. Coughenour
18 UNITED STATES DISTRICT JUDGE
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